

ANDORRA 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of individuals to manifest their religion or belief and prohibits religious discrimination. It names two co-princes – the President of France and the Roman Catholic Bishop of Urgell in Catalonia, Spain – as joint heads of state. In accordance with the constitution, the government offers the Catholic Church privileges not available to other religious groups. At year's end, the government had not identified public land for use as a multiconfessional cemetery, despite announcing in 2020 that it had begun a search for a suitable property. The government issued religious work permits only to Catholics, but it allowed non-Catholics to reside and perform religious work in the country under a different status. In October, the government approved a ban on the use of conspicuous religious symbols in public schools, including headscarves, kippahs, and large crosses, after a Muslim family accused the French school of discrimination because it required the family's daughter to remove her headscarf in school.

In the absence of a mosque in the country, the Muslim community continued to rent two prayer rooms. The Catholic Church of Santa Maria del Fener in Andorra la Vella continued to lend its sanctuary twice a month to the Anglican community.

The U.S. Ambassador, resident in Spain, and the Consul General and other officials from the U.S. Consulate General in Barcelona met and communicated regularly with senior officials from the Ministries of Foreign Affairs, Justice and Interior, and Social Affairs, Housing and Youth, as well as with officials in the Office of the Ombudsman. During visits to the country and in periodic communications, consulate officials discussed with Jewish and Muslim leaders and human rights nongovernmental organizations (NGOs) issues such as the lack of official status for faiths other than Catholicism and the lack of cemeteries for the Jewish and Muslim communities. The consulate general used social media to convey messages on the importance of religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 86,000 (midyear 2021). The Andorran government estimates the population at 78,000 (2020 data), including 38,000 citizens and 40,000 other residents, mostly from Spain, France, and Portugal. The local government does not provide statistics on the size of religious

groups, and there is no census data on religious group membership. In 2019, government officials estimated that 92 percent of the population was Roman Catholic. Muslim leaders estimate their community, largely composed of recent immigrants, has approximately 2,000 members. The Jewish community reports it has approximately 100 members. Other small religious groups include Hindus, Anglicans, Seventh-day Adventists, the Baha'i Faith, the Family Federation for World Peace and Unification, the New Apostolic Church, The Church of Jesus Christ of Latter-day Saints, and Jehovah's Witnesses.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees “freedom of ideas, religion, and worship.” It prohibits discrimination on the grounds of religion and stipulates no one shall be required to disclose his or her religion or beliefs. The constitution states such freedoms may be limited only to protect public safety, order, health, or morals, as prescribed by law or to protect the rights of others. The constitution acknowledges a special relationship with the Catholic Church “in accordance with Andorran tradition” and recognizes the “full legal capacity” of the bodies of the Catholic Church, granting them legal status “in accordance with their own rules.” The Catholic Bishop of Urgell in Catalonia, Spain, whose diocese includes Andorra and is one of two constitutionally designated princes of the country, serves equally as joint head of state with the other prince, the President of France. The current Bishop of Urgell is Archbishop Joan Enric Vives i Sicilia.

The law provides for the right to equal treatment and nondiscrimination, including for members of any religious group. The law establishes judicial, administrative, and institutional guarantees, which protect and provide compensation for victims of discrimination. The law also provides for fines of up to 24,000 euros (\$27,200) in cases of discrimination, including on the basis of religious affiliation, and stipulates the burden of proof in such cases rests with the defendant, who must demonstrate there has not been discrimination.

Faiths other than Catholicism do not have legal status as religious groups. The government registers religious communities as cultural organizations under the law of associations, which does not specifically mention religious groups. To build a place of worship or seek government financial support for community activities, a religious group must acquire legal status by registering as a nonprofit cultural

organization. To register, a group must provide its statutes and foundational agreement, a statement certifying the names of persons appointed to the board or other official positions in the organization, and a patrimony declaration that identifies the inheritance or endowment of the organization. A consolidated register of associations records all types of associations, including religious groups.

The national ombudsman is responsible for investigating complaints of racism, discrimination, and intolerance, including those involving a religious motivation, in the public and private sectors. The ombudsman makes recommendations to the public administration to correct problems and reports annually to parliament. The ombudsman is a member of the commissions established by the Observatory on Equality, which is tasked with collecting and analyzing data and advising the government on issues pertaining to equality and discrimination, including those involving religious issues.

The law requires individuals applying for official documents, such as residence permits, passports, and driver's licenses, to appear and be photographed with their heads uncovered.

According to the law, municipalities are responsible for the construction, preservation, and administration of cemeteries and funerary services.

Government regulation permits ritual slaughter as required by the Islamic or Jewish faith, as long as it takes place under the supervision of the veterinary services of the country's slaughterhouse.

Instruction in the Catholic faith is optional in public schools. The Catholic Church provides teachers for religion classes, and the government provides space in public schools for Catholic religious instruction and pays the teachers' salaries.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

The Catholic Church continued to receive special privileges not available to other religious groups. The government paid the salaries of the eight Catholic priests serving in local churches and granted all foreign Catholic priests citizenship for as long as they exercised their functions in the country.

Despite longstanding requests by Muslim and Jewish community representatives for cemeteries where they could bury their dead according to their rituals and traditions, the government had not identified by year's end a location for a multiconfessional cemetery, despite the announcement in 2020 that it had begun a search for public land on which to build such a cemetery. Government officials stated that the Ministry of Territorial Planning was still looking for a suitable site on public land.

Muslim community representatives stated they were disappointed by the lack of government response to their requests. According to municipal authorities, Jews and Muslims could use existing cemeteries, but these did not allocate separate burial areas for these communities to use. As a result, most Jews and Muslims continued to bury their dead outside the country. Muslim community representatives, however, stated that the COVID-19 pandemic made it more difficult to bury their dead outside of the country due to pandemic travel and health restrictions.

The government continued to fund three public Catholic schools at the primary and secondary level. These were open to students of all faiths. Catholic instruction was mandatory for all students attending these schools.

The Ministry of Social Affairs, Housing and Youth stated that due to the COVID-19 pandemic, the Observatory on Equality stopped work during the year, but the work of the national ombudsman continued.

During the year, the national ombudsman's office did not report receiving any complaints of religiously motivated discrimination or intolerance in the public or private sectors. The principal religious groups said they had not reported any incidents of discrimination to the ombudsman. The Ministry of Social Affairs, Housing and Youth said it had not received any complaints of religiously motivated discrimination.

In September, a Muslim family accused the French school Lycee Comte de Foix of discrimination and racism after the school required the family's daughter, aged 11, to remove her headscarf while in school. Government officials stated that French law prohibiting students from wearing "conspicuous religious symbols," including the Islamic headscarf, Jewish skullcap, Sikh turban, and large Christian crosses, was applicable, as the school was part of France's public school system, per a bilateral agreement.

At the time of the complaint, the country had no overarching laws regulating the use of religious symbols in its educational system. On October 4, following the complaint, the government modified the public school regulations nationwide to include a ban on the use of conspicuous religious symbols in public schools, including headscarves, kippahs, and large crosses.

The government continued to maintain a policy of issuing religious work permits for foreigners performing religious functions only to members of the Catholic Church. Foreign religious workers belonging to other groups said they could enter the country with permits for other positions such as schoolteachers or business workers and carry out religious work without hindrance.

Catholic rituals, such as priests blessing those gathered for an event or leading a Mass before an event, continued to be a part of many state ceremonies, including annual national day celebrations.

Section III. Status of Societal Respect for Religious Freedom

In the absence of a mosque in the country, the Muslim community continued to rely on two Islamic prayer rooms that it rented in Andorra la Vella and in Escaldes-Engordany.

The Catholic Church of Santa Maria del Fener in Andorra la Vella continued to lend its sanctuary twice a month to the Anglican community so that visiting Anglican clergy could conduct services for the English-speaking members of that community.

Section IV. U.S. Government Policy and Engagement

The U.S. Ambassador, resident in Spain, and the Consul General and other officials from the U.S. Consulate General in Barcelona reiterated the importance of religious tolerance in periodic in-person and virtual meetings and other communications with officials in the Ministries of Foreign Affairs; Social Affairs, Housing, and Youth; and Justice and Interior, as well as the Office of the Ombudsman. Consulate general staff discussed the implementation of the law pertaining to equal treatment and nondiscrimination with representatives from the Ministry of Social Affairs, Housing, and Youth and raised continued concerns about the lack of cemeteries for the Jewish and Muslim communities with senior

Ministry of Foreign Affairs officials.

In periodic communications and meetings with representatives of the Jewish and Muslim communities and human rights NGOs, consulate general officials discussed the groups' views on issues pertaining to their exercise of religious freedom in the country, including the lack of legal status for religious groups other than the Catholic Church and the lack of cemeteries for the Jewish and Muslim communities.

The consulate general regularly amplified messages from the Secretary of State and Department of State on religious freedom via embassy and consulate social media platforms, for example, by highlighting International Religious Freedom Day on October 27 and encouraging partnerships with civil society organizations to combat all forms of hatred and discrimination on religious grounds.